20 COURT FEE २० रु. भारत INDIA तीस रुपये TWENTY RUPEES CANCELLED

Ufloor (3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH

AT BILASPUR

Writ Petition No. 3086 **of 2004**

PETITIONER : Sheo Shanker Kashyap, aged 35 years, W/o Budaru Ram, Assistant teacher, Mini Primary School Sandewada, Block Bakawand, Tahsil/Distt. Jagdalpur, Bastar (C.G.)

P. R. No. 3100 dated 7.9.04 Presented by Shri ... dated 9.9.04

VERSUS

RESPONDENTS :1. State of Chhattisgarh Through the Secretory, General Administrative department D.K.S.Bhawan, Raipur (C.G.)

2. Asst. Commissioner Aadivasi Vikas, Jagdalpur Bastar (C.G.)

REGISTRAR-COPY 9/9/04 Clerk to A. G. Bilaspur

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA , FOR ISSUANCE OF SUITABLE DIRECTIONS, ORDERS OR WRITS INCLUDING WRITS IN THE NATURE OF CERTIORARI, MANDAMUS ETC.

शपथ आयुक्त एम.के. 16.9.04 बिलासपुर (छ.ग.) बिलासपुर तहसील क्षेत्र

The humble petition of the petitioner above named most respectfully sheweth as under :-

1. **PARTICULARS OF THE PETITIONER**

The particulars of the petitioner has been given in the cause title.

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2. **PARTICULARS OF THE RESPONDENTS**

The particulars of the respondents have been given in the cause title.

XI-HC-22

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.3086 / सन् 2004

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

17.09.2004

On a mention being made, the case is called.

Shri L.C. Dash, Counsel for the petitioner.

Shri V.V.S.Murthy, Dy. A.G. for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that no one has been posted in place of the petitioner. He also submits that the wife of the petitioner is carrying pregnancy of eight months and his child is disabled. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. Since the fact that no one has been posted in place of the petitioner and further the fact that the wife of the petitioner is carrying eight months pregnancy and his child is disabled, it is directed that till the representation is decided, the petitioner shall be allowed to continue on the present place of posting. It is made clear that if any grievance still remains, the petitioners may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.2693/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Hande/-

[पीछे देखिये